REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended claims 1, 4–5, 7–8, 10-11, 14-15, 17-18, 20-22, 33, 36 and 44; Applicant respectfully submits no new matter has been added. Accordingly, claims 1-46 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Rejections – 35 U.S.C. § 112

Claims 4-5, 7-8, 10-11, 14-15, 17-18, 20-21, 33 and 44 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter as the invention. The language objected to in claims 4-5, 7-8, 10-11, 14-15, 17-18, 20-21, 33 and 44 has been removed and the objected vague and indefinite phrase has been amended.

Claim Rejections – 35 U.S.C. § 103 (a)

The examiner has rejected all pending claims under 35 U.S.C. § 103(a) as being unpatentable over Lee (US 6,539,225 B1 hereinafter Lee) in view of C. E. Perkins et al. "Route Optimization in Mobile IP", (draft-ietf-mobileip-optim-08.txt (Feb. 25, 1999), hereinafter Perkins). The Applicants respectfully traverse the Examiner's rejection and have further amended the pending independent claims 1, 22, and 36 to more clearly and distinctly claim which the Applicants consider the invention.

The present application discloses and claims a method for handing off a mobile node from an old sub-network router to a new sub-network router in an Internet Protocol based wireless access network and a respective wireless access network. In that regard a handoff starting time is obtained from a lower layer of the OSI (Open Systems Interconnection) model and information from a lower layer of the OSI model is used to notify the mobile node that a connection with the old sub-network router will be discarded within a predetermined amount of time. In accordance with the teachings of the present invention a new care-of address is obtained for the mobile node from the

new sub-network router and in response to receiving the discarding notification a request message is sent from the mobile node to a base node via the new sub-network router requesting a new binding. A new care-of address binding is then created in the base node, a reply message is issued from the base node to the mobile node via the new sub-network router indicating that the new care-of address binding has been created and a transfer of old care-of address data packets from the base node to the mobile node is synchronized. The applicant respectfully asserts, that obtaining a handoff starting time from a lower layer in conjunction with the address binding creation, reply message from the base node and the transfer of old care-of address packets are not disclosed or taught by the Lee reference.

The Lee reference teaches a wireless call handoff with respect to deregistration of an old binding and creating a new binding. Lee discloses providing a seamless handover by providing an old and a new address binding in parallel during the handover procedure. However the Lee reference falls to address obtaining a handoff starting time. As noted in the Detailed Action, column 4, lines 66-67 in the Lee reference describes a state of the art routing technique and is not related to obtaining any kind of timing information. There is no mention or teaching in the Lee reference regarding obtaining a handoff starting time from a lower layer and using information from a lower layer to notify a mobile terminal that an old connection will be discarded within a predetermined amount of time.

Lee describes using information from a lower layer and discarding the connection The applicants respectfully submit that the steps of using lower layer information for routing purposes in col. 4 lines 66-67 of the Lee reference and indicating that the handoff procedure continues until it is completed (see col. 5 line 67 – col. 6 line 2) are unrelated in the Lee reference. The applicant therefore respectfully submits that combining information from the unrelated sources within a single step is neither disclosed nor rendered obvious by the Lee reference.

Additionally Perkins fails to teach obtaining timing information from a lower layer and sending timing information in a notification message to a mobile node, thus

rendering the claimed subject matter non-obvious with respect to a combination of the Lee reference and the Perkins reference.

The Applicants respectfully submit that mentioning that the handoff procedure will be once completed in col. 5 line 67 – col. 6 line 2 does not inherently disclose any kind of timing information with respect to when that handover will be completed. Accordingly the usage of the timing information in a step of notifying the mobile terminal that an old connection will be discarded within a predetermined amount of time is neither anticipated nor rendered obvious by the Lee reference.

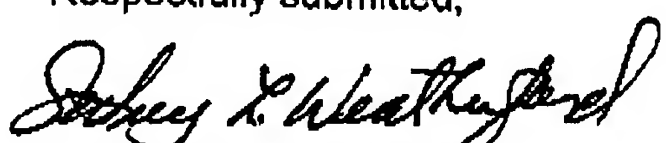
Dependent claims 2–21, 23 – 35 and 37- 46 depend from amended independent claims 1, 22 and 36 respectively and recite further limitations in combination with the novel elements of their respective base claim. Therefore, the allowance of claims 2 – 21, 23 – 35 and 37 – 46 is respectfully requested.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



By Sidney L. Weatherford
Registration No. 45,602

Date: June 17, 2005

Ericsson Inc.
6300 Legacy Drive, M/S EVR 1-C-11
Plano, Texas 75024

(972) 583-8656
sidney.weatherford@ericsson.com